

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PAUL GOLTER, JR., IV.,)
Plaintiff,) Case No. C10-204-JLR-BAT
v.)
MICHAEL ASTRUE, Commissioner of the)
Social Security Administration,)
Defendant.)

Paul Golter, Jr., IV. brought an action seeking review of the denial of his application for disability insurance benefits and supplemental security income by the Commissioner of the Social Security Administration. Dkt. 4. The parties stipulate the case should be remanded, pursuant to sentence four of 42 U.S.C. § 405(g), for further administrative proceedings. Dkt. 28.

Specifically, the parties stipulate that on remand, the Administrative Law Judge shall:

(1) Evaluate Mr. Golter's cognitive (visual) disorder, pain disorder, attention deficit hyperactivity disorder, and disorder of written expression;

(2) Evaluate and further develop the medical opinions of Carl Epp, Ph.D., and Silvia Thorpe, Ph.D., per the District Court's and Appeals Council's remand orders, and provide appropriate weight to the opinions, as well as legally sufficient reasons rejecting or accepting any opinions;

1 (3) Re-assess Mr. Golter's credibility;

2 (4) Re-evaluate Mr. Golter's residual functional capacity, incorporating limitations

3 included in medical evidence that are not specifically rejected;

4 (5) Re-evaluate Mr. Golter's ability to perform his past relevant work or other work that

5 exists in significant numbers in the national economy, and, if necessary, obtain vocational expert

6 testimony.

7 The parties also stipulate that:

8 (1) Mr. Golter may present new arguments and further medical evidence, if such evidence

9 becomes available;

10 (2) The ALJ will consolidate Mr. Golter's subsequent application filed on January 28,

11 2010;

12 (3) Upon proper request, the Court will consider plaintiff's application for reasonable

13 attorney fees and costs pursuant to 28 U.S.C. § 2412(d).

14 Having reviewed the pleadings and the administrative record, the Court recommends the

15 case be **REVERSED** and **REMANDED** for further administrative proceedings as set forth above.

16 As the parties stipulate to remand, the Court recommends if this recommendation is adopted, that it

17 be approved immediately. A proposed order accompanies this Report and Recommendation.

18 DATED this 9th day of December, 2010.

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BRIAN A. TSUCHIDA
United States Magistrate Judge